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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,791	01/12/2004	Dong-Kyu Lee	678-1137 (P10759)	2932
28249	7590	09/08/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/756,791

Applicant(s)

LEE, DONG-KYU

Examiner

Melur Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. (US PAT: 5,778,304, hereinafter Grube) in view of Mukherjee (US PAT: 7,039,431 B2, filed 10-4-2001)

Regarding claim 1, Grube teaches the following: storing a first information indicating whether the multifunctional mobile communication terminal is provided with a private mobile communication service and whether the terminal is allowed to use additional function in the public/private stored cell area, transmitting a system parameter message to the multifunctional mobile communication terminal located in the public/private shared cell area, and receiving a request message which includes a second information indicating whether the located terminal corresponds to the system parameter message and has additional function, and checking whether the located terminal being provided with the private mobile communication service and whether the located terminal is allowed to use additional function in the private/public shared cell area including an additional function restriction code to the located terminal if the located terminal is a terminal in restricted from using the additional function (figs. 1-3, col. 2 lines 13-67; col. 3, line 1 – col. 4, line 22).

Grube differs from claim 1 in that although Grube teaches interaction between a mobile terminals (102/103, fig. 1) and communication controller (101, fig. 1, col. 2 lines 15-19); he does not specifically teach the following: when the apparatus has received the location registration request message and transmitting location registration response message for providing communication function.

However, Mukherjee discloses system for providing subscriber features within a telecommunications network which teaches apparatus receiving location registration request message and transmitting location registration response message for providing communication function (fig. 2, col. 4, line 38 – col. 5, line 15).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Grube's system to provide for the following: when the apparatus has received the location registration request message and transmitting location registration response message for providing communication function as this arrangement would facilitate providing necessary communication function following registration process as taught by Mukherjee.

Regarding claim 7, Grube teaches the following: transmitting a location message including a second information to the apparatus when the multifunction mobile communication terminal is located in the public/private shared cell area, the second information representing whether the located terminal has additional function corresponding to a system parameter message transmitted from the apparatus, and setting a mode restricting the execution of the additional function, including the

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additional function restriction code from the apparatus (figs. 1-3, col. 2 lines 13-67; col. 3, line 1 – col. 4, line 22).

Grube differs from claim 7 in that although Grube teaches interaction between a mobile terminals (102/103, fig. 1) and communication controller (101, fig. 1, col. 2 lines 15-19); he does not specifically teach terminal transmitting/receiving a location registration and response message.

However, Mukherjee teaches the following: transmitting/receiving a location registration and response message to provide communication function (fig. 2, col. 4, line 38 – col. 5, line 15).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Grube's system to provide for the following: transmitting/receiving a location registration and response message as this arrangement would facilitate providing necessary communication function following registration process as taught by Mukherjee.

Regarding claims 2-3, Grube further teaches the following: method is performed by a public/private communication service apparatus, setting a mode restricting the execution of additional function depending on the interpretation of the additional function restriction code, when the located terminal has received location registration response message from the apparatus (col. 2 lines 41-67).

3. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube in view of Mukherjee as applied to claim 1 above, and further in view of Hunter (US2002/0106202A1).

The combination differs from claims 4-6 in that he does not teach the following: restriction code is a code for restricting a digital image photograph function, restriction mode is mode for restricting use of a digital image photograph function, restriction mode for restricting storage of data generated by digital photograph.

However, Hunter discloses portable camera which teaches the following: restriction code is a code for restricting a digital image photograph function, restriction mode is mode for restricting use of a digital image photograph function, restriction mode for restricting storage of data generated by digital photograph (restricting storage of data generated by digital photograph is implied in as much as the camera is prohibited from taking pictures: paragraphs: 0031-0033).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: restriction code is a code for restricting a digital image photograph function, restriction mode is mode for restricting use of a digital image photograph function, restriction mode for restricting storage of data generated by digital photograph as this arrangement would facilitate restricting the photographing/storing photographic information in certain sensitive areas as taught by Hunter (paragraphs: 0004-0005), thus protecting sensitive areas from being photographed.

4. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube in view of Stern et al. (US2003/0008662A1, filed 7-9-2001, hereinafter Stern) and Mukherjee.

Regarding claims 8-9, Grube teaches the following: storing first information in a public/private communication service apparatus indicating whether the multifunctional mobile communication terminal is provided with a private mobile communication service, transmitting a message by the including the second information to the apparatus, multifunctional mobile communication terminal is located in the public/private communication shared cell area, checking by the public/private communication service apparatus whether the located terminal is a terminal provided with the private mobile communication service, transmitting an additional function restriction code to the located terminal if the located terminal is terminal restricted from using the service function, setting the mode restriction function for service from other terminals, when the terminal has received the response message and first information identifies that the multifunction mobile communication terminal is not allowed to use the service function in the public/private shared cell area (figs. 1-3, col. 13-67; col. 3, line 1 – col. 4, line 22).

Grube differs from claims 8-9 in that he does not teach the following: terminal multifunction mobile communication terminal is not allowed use the download/store function in the public/private communication shared cell area; Grube further differs from claims 8-9 in that although Grube teaches interaction between a mobile terminals (102/103, fig. 1) and communication controller (101, fig. 1, col. 2 lines 15-19); he does not specifically teach the following: apparatus receiving a location registration request message, and transmitting a location registration response message for use of communication function.

However, Stern discloses systems and methods wherein mobile user device operates accordance with a location policy and user device information which teaches the following: terminal multifunction mobile communication terminal is not allowed use the download/store function in the public/private communication shared cell area (paragraphs: 0030, 0033); and Mukherjee teaches apparatus receiving a location registration request message, and transmitting a location registration response message for use of communication function (fig. 2, col. 4, line 38 – col. 5, line 15).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Grube's system to provide for the following: terminal multifunction mobile communication terminal is not allowed use the download/store function in the public/private communication shared cell area as this arrangement would provide means to enforce use policy in a given location as taught by Stern (paragraphs: 0009-0010); apparatus receiving a location registration request message, and transmitting a location registration response message for use of communication function as this arrangement would facilitate providing necessary communication function following registration process as taught by Mukherjee.

Response to Arguments

4. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643